

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GERALD PENN,)	
)	
PLAINTIFF,)	
)	
v.)	CASE NO. 2:06cv738-MEF-WC
)	
VERIZON WIRELESS, INC.)	
)	
DEFENDANT.)	

FINAL JUDGMENT

On December 13, 2006, Plaintiff filed a Stipulation of Dismissal with Prejudice (Doc. # 5) requesting that this action be dismissed with prejudice because the underlying lawsuit has been resolved. Defendant has not filed served an answer or a motion for summary judgment. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1), it is hereby ORDERED as follows:

- (1) This action is DISMISSED WITH PREJUDICE.
- (2) Each party to bear his or its own costs and expenses.
- (3) The Clerk of the Court is directed to enter this document on the civil docket as a Final Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure and close this file.

DONE this 28th day of March, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE